

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CANDACE SMITH,

Plaintiff,

v.

DANNETTE NOVOA, TRIPLE A
INSURANCE, and CITY OF CLOVIS,

Defendants.

Case No. 1:24-cv-00221-KES-HBK

ORDER ADOPTING FINDINGS AND
RECOMMENDATION

(Doc. 5)

Plaintiff Candace Smith, proceeding pro se, initiated this civil action by filing a complaint against defendants Dannette Novoa, Triple A Insurance, and City of Clovis. Doc. 1. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On February 27, 2024, the assigned magistrate judge screened plaintiff's complaint and found that plaintiff failed to allege facts establishing federal jurisdiction and noted that the action was duplicative of another case. Doc. 5. The magistrate judge issued findings and recommendations to dismiss the complaint for lack of subject matter jurisdiction. *Id.* The findings and recommendations were mailed to plaintiff's address of record and included notice that any objections were to be filed within fourteen days. *Id.* at 5–6. On April 3, 2024, the mail was returned as undeliverable. Plaintiff did not file any objections and the time to do so has

1 passed.

2 In accordance with the provisions of 28 U.S.C. § 636(b)(1), the Court has conducted a de
3 novo review of this case. Having carefully reviewed the entire file, the Court finds the findings
4 and recommendations to be supported by the record and by proper analysis.

5 ACCORDINGLY, it is ORDERED:

- 6 1. The findings and recommendations, filed on February 27, 2024, Doc. 5, are
7 ADOPTED.
8 2. Plaintiff's complaint is DISMISSED without prejudice for lack of jurisdiction.
9 3. Leave to amend is DENIED as futile.
10 4. The Clerk of Court is directed to close this case.

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13 IT IS SO ORDERED.

14 Dated: December 10, 2024


UNITED STATES DISTRICT JUDGE